

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHARLES DARNELL JONES,

Plaintiff,

v.

JERRY M. HOBECK, *et al*,

Defendants.

Civil Action No. 2:24-cv-1402

Hon. William S. Stickman IV

Hon. Maureen P. Kelly

ORDER OF COURT


Plaintiff Charles Darnell Jones (“Jones”) filed this lawsuit complaining about his constitutional rights being violated during his arrest on June 11, 2022, which led to his conviction and sentence at CP-65-CR-3118-2022 in the Court of Common Pleas of Westmoreland County, Pennsylvania. (ECF No. 6). He was granted leave to proceed *in forma pauperis*. (ECF No. 5). Pursuant to 28 U.S.C. § 1915, Magistrate Judge Maureen P. Kelly issued a Report and Recommendation recommending the dismissal of all claims without prejudice should Jones ever obtain a favorable termination in his state criminal case. (ECF No. 8). Jones was given the opportunity to file objections.

No objections having been filed, the Court hereby ADOPTS Magistrate Judge Kelly’s Report and Recommendation as its Opinion. It agrees with Magistrate Judge Kelly’s thorough analysis and legal conclusions.

AND NOW, this 12 day of May 2025, IT IS HEREBY ORDERED that Jones’s complaint is DISMISSED. This dismissal is without prejudice to refile any claim that is not

barred by the statute of limitations, and the accrual of which is not delayed by *Heck v. Humphrey*, 512 U.S. 477 (1994), should Jones receive a favorable termination in his state criminal case.

BY THE COURT:

A handwritten signature in black ink, appearing to read "W S Stickman IV", written over a horizontal line.

WILLIAM S. STICKMAN IV
UNITED STATES DISTRICT JUDGE